

Office of the Secretary, HUD

§ 17.2

Civil Service Retirement and Disability Fund.

- 17.116 Procedures for administrative offset: offset of debtor's judgment against the United States.
- 17.117 Procedures for administrative offset: imposition of interest.
- 17.118 Miscellaneous provisions: correspondence with the Department.

SALARY OFFSET PROVISIONS

- 17.125 Scope.
- 17.126 Coordinating offset with another Federal agency.
- 17.127 Determination of indebtedness.
- 17.128 Notice requirements before offset.
- 17.129 Request for a hearing.
- 17.130 Result if employee fails to meet deadlines.
- 17.131 Written decision following a hearing.
- 17.132 Review of departmental records related to the debt.
- 17.133 Written agreement to repay debt as alternative to salary offset.
- 17.134 Procedures for salary offset: when deductions may begin.
- 17.135 Procedures for salary offset: types of collection.
- 17.136 Procedures for salary offset: methods of collection.
- 17.137 Procedures for salary offset: imposition of interest.
- 17.138 Non-waiver of rights.
- 17.139 Refunds.
- 17.140 Miscellaneous provisions: correspondence with the Department.

IRS TAX REFUND OFFSET PROVISIONS

- 17.150 Scope.
- 17.151 Notice requirements before offset.
- 17.152 Review within the Department of a determination that an amount is past-due and legally enforceable.
- 17.153 Determination of the Administrative Judge.
- 17.154 Postponements, withdrawals and extensions of time.
- 17.155 Review of departmental records related to the debt.
- 17.156 Stay of offset.
- 17.157 Application of offset funds: Single debt.
- 17.158 Application of offset funds: Multiple debts.
- 17.159 Application of offset funds: Tax refund insufficient to cover amount of debt.
- 17.160 Time limitation for notifying the IRS to request offset of tax refunds due.
- 17.161 Correspondence with the Department.

AUTHORITY: 28 U.S.C. 2672; 31 U.S.C. 3711, 3716-18, 3721, and 5 U.S.C. 5514; 42 U.S.C. 3535(d).

Subpart A—Claims Against Government Under Federal Tort Claims Act

AUTHORITY: 5 U.S.C. 5514; 28 U.S.C. 2672; 31 U.S.C. 3711, 3716-3718, 3721; 42 U.S.C. 3535(d).

SOURCE: 36 FR 24427, Dec. 22, 1971, unless otherwise noted.

GENERAL PROVISIONS

§ 17.1 Scope; definitions.

(a) This subpart applies to claims asserted under the Federal Tort Claims Act, as amended, accruing on or after January 18, 1967, for money damages against the United States for injury to or loss of property or personal injury or death caused by the negligent or wrongful act or omission of an officer or employee of the Department while acting within the scope of his office or employment.

(b) This subpart is issued subject to and consistent with applicable regulations on administrative claims under the Federal Tort Claims Act issued by the Attorney General (31 FR 16616; 28 CFR part 14).

(c) The terms *Department* and *Organizational unit* are defined in 24 CFR part 5.

[36 FR 24427, Dec. 22, 1971, as amended at 61 FR 5204, Feb. 9, 1996]

PROCEDURES

§ 17.2 Administrative claim; when presented; appropriate HUD office.

(a) For purposes of this subpart, a claim shall be deemed to have been presented when the Department receives, at a place designated in paragraph (b) of this section, an executed *Claim for Damages or Injury*, Standard Form 95, or other written notification of an incident, accompanied by a claim for money damages in a sum certain for injury to or loss of property, for personal injury, or for death alleged to have occurred by reason of the incident. A claim which should have been presented to the Department, but which was mistakenly addressed to or filed with another Federal agency, is deemed to be presented to the Department as of the date that the claim is received by the Department. If a claim